

Big Cicero Creek Joint Drainage Board
October 23, 2019
Tipton County Courthouse

Members Present: President Brad Bagwell, Mark Heirbrandt, Jim Mullins, Scott Shoemaker

Surveyors Present: Jason Henderson, Kenton Ward, Daniel Sheets

Secretary: Kristi Hinkle Board Attorney: Steven Holt

Others Present: Michael Terry, Wyatt Johnson, Siavash Beik, Vicky Boyd, Scot Vanhorn, Brent Snow

Call Meeting to Order: Brad Bagwell called the meeting to order.

Roll Call for the Establishment of Quorum: Quorum established.

Modifications to the Agenda: None

Approval of the minutes: Mark Heirbrandt motioned to approve September minutes and September executive minutes. Jim Mullins 2nd the motion. Motion approved.

Board to Consider Claims: Kristi Hinkle presented claims in the amount of \$33,634.00 with the subtraction of \$150 for Ken Hedge's absent. Brad asked if there are any questions on the claims. Mark asked about the description on the Holt bill. Attorney Holt replied that that should be it on the appeal. He stated that he filed the report brief and the petitioners filed their response to that. It is in the hands of the appellate court. Attorney Holt said that it will probably be 3 to 6 months until we hear an answer. Scott Shoemaker made a motion to approve the claims as presented. Jim Mullins 2nd the motion. Motion approved.

Surveyors Report:

Consideration of Clearing/Access along entire creek: Kenton Ward stated that they have not been able to do the float trip. There has not been enough rain to have a float. Kenton would like to get the surveyors together again in his office. He would like for Barr and Siavash to join. Jason stated that Scot Vanhorn has knowledge of the creek. He also mentioned about a drone or helicopter rental (\$500 per hour) for a good view of the creek. Kenton also stated the other issues are the spoils in which they are waiting for the leaves to come off so they can walk the ditch and identify those areas. Kenton questioned whether Barr and Siavash wanted to join. Siavash replied yes.

Ordinance Update: Jason stated that the mayor asked for him to give a presentation of embedding Big Cicero standards into their local ordinances. The planning commission is going to hold a public hearing to modify their local zoning ordinances to consider embedding into their local ordinances.

Board Engineers Report: Nothing to report at this time.

Board Business/Comments (Old or New):

Attorney Report (Holt): Has already given it.

Request to advertise for Maintenance: Jason stated that they request approval to run advertisements for 2020 maintenance. They would have them ready for the November meeting. Steve stated that you need to make a motion to advertise. Jim Mullins made a motion to advertise. Mark 2nd that motion. Motion approved.

Approval of Maintenance Work identified as public threat: Jason stated that about two years ago Vanhorn had looked at the areas highlighted. Wyatt identified some trees to be left. It's preventative maintenance. This would happen during the winter. Jason stated that Ryan and Jake would help with the burning. Jason had Scot take another look at it and provided a quote. This work would complete the stretch from 300 W through the city of Tipton. Jason said that this is maintenance that needs to be done. Any issues with the banks and outlet pipes, Vanhorn would address them. Mark asked of who is disposing of the trees and brush. Jason replied that the city has a massive burn pile detention area that's located on the back nine of the golf course. Scot said that if they (the city) move it, he could burn it. President Bagwell asked if there are any other questions. Mark asked what the other surveyor's think. Kenton responded that Jason has it worked out with the city so it's a good idea. The other surveyors agreed. Mark made a motion to approve the proposal submitted by Vanhorn for \$21,000. Scott Shoemaker 2nd the motion. Motion approved.

Mark wanted to make a comment. He stated that he received a text message from Jane Harper this morning and wanted to read it for the record. "Good Morning. Several months ago, I spoke to the board about businesses along the creek failing to comply with the provisions of the approval in the encroachment of the 75-foot requirement. They should all be sent a letter and the compliance should be enforced. I see no change. Has that been addressed?" Mark asked Jason on his response to that. Jason replied that on CVS there is some significant erosion. Jason stated that we did notify them that they have an erosion control issue and they need to address it. Jason said that they have not addressed it. Jason stated that the next step would be to send a certified letter saying that they have so many days to comply. If they do not comply, the board can have a hearing and have our people repair that and levy it against their property tax.

Public Comment: None.

Brad stated that the next two meetings are November 20, 2019 at 9:30 am and December 18, 2019 at 10:30 am.

Scott Shoemaker motioned to adjourn. Mark 2nd the motion.

Meeting adjourned.

BIG CICERO CREEK BOARD:

Brad Bagwell, President

Mark Heirbrandt

Donnie Lawson

Jim Mullins

Scott Shoemaker

ATTEST: _____
Kristi Hinkle, Secretary